

**** E-filed January 20, 2011 ****

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE DIVISION)**

**MICHAEL A. KENT, DANIEL
JOHANNING, AND JAKUB CMIRAL,**
individually and on behalf of all those
similarly situated,

Plaintiffs,
v.

HEWLETT-PACKARD COMPANY, a
Delaware corporation,

Defendant.

CASE NO. C 09-05341 JF

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING ON
PLAINTIFFS' MOTION TO COMPEL
DISCOVERY**

WHEREAS, on July 6, 2010, the Court granted in part and denied in part Defendant Hewlett-Packard Company's ("HP") Motion To Dismiss Plaintiffs' First Amended Class Action Complaint with leave to replead;

WHEREAS, on November 30, 2010, Plaintiffs filed a Motion to Compel Discovery from HP, which is scheduled for a hearing before Magistrate Judge Grewal on January 4, 2011, at 10 a.m.;

WHEREAS, the Court has ordered a Settlement Conference before Magistrate Judge Howard R. Lloyd on January 26, 2011;

IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that:

1. The hearing of Plaintiffs' Motion To Compel Discovery from Defendant HP shall be continued until March 1, 2011.

2. Plaintiffs will not seek additional discovery from Defendant HP, other than the discovery sought in Plaintiffs' Motion To Compel or which may otherwise be necessary to confirm the terms of any settlement agreement which may be reached, prior to a ruling on Defendant's Motion to Dismiss Plaintiffs' Second Amended Class Action Complaint, Defendants' Motion to Strike Class Allegations From Plaintiffs' Second Amended Complaint, and Plaintiffs' Motion To Compel Discovery from Defendant HP.

Dated: December 17, 2010

By: /s/ Samuel G. Liversidge
Samuel G. Liversidge
GIBSON, DUNN & CRUTCHER LLP
Attorneys for Defendant,
Hewlett-Packard Co.

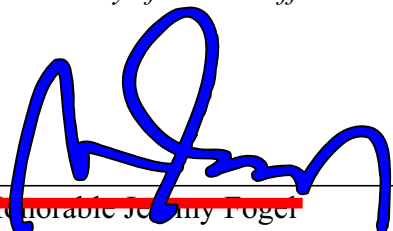
Dated: December 17, 2010

By: /s/ Michael F. Ram
Michael F. Ram
RAM & OLSON LLP
Attorneys for Plaintiffs

Plaintiffs' motion to compel (Docket No. 62) shall be heard by Magistrate Judge Lloyd on March 1, 2011 at 10:00 a.m. Briefing on the motion shall proceed in accordance with Civil Local Rule 7-3.

IT IS SO ORDERED.

Dated: January 20, 2011


The Honorable J. Amy Foger
United States District Court Judge